



CITY OF
HERMOSA BEACH

September 28, 2023

The Honorable Gavin Newsom
California State Governor
1021 O Street, Suite 9000
Sacramento, CA 95814
Via Email: Leg.Unit@gov.ca.gov

Subject: Assembly Bill 825—OPPOSE UNLESS AMENDED

Dear Governor Newsom:

The City of Hermosa Beach is opposing Assembly Bill 825 (AB 825) unless amended, which would bar a local authority from prohibiting the operation of a bicycle on a sidewalk adjacent to a highway corridor that does not include a bikeway. Unfortunately, AB 825 undermines local control of city streets and raises several policy and safety concerns for cities.

The City of Hermosa Beach recognizes the importance of this legislation; however, the current language does not support the work of our police officers and does not allow them the opportunity to enforce local and State laws. If officers cannot enforce the law based on the proposed language, then this bill would create an unsafe community.

AB 825 ignores well-documented safety risks—including those reported by the Federal and State agencies—associated with shared sidewalks. The bill's author removed a series of safety provisions, including a set speed limit and a requirement that cyclists yield the right of way to pedestrians. Cyclists would not even need to use the auditory signal when passing from the rear, which is when the most dangerous collisions occur.

Also, unless this language is amended, it would likely create more vehicle traffic as pedestrians in Hermosa Beach will now avoid dangerous situations that would occur due to bicyclists on sidewalks. The increased vehicle traffic is a direct contributor to pollution and global warming, and we know sustainable efforts are a major priority for the State.

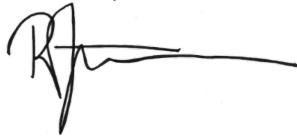
In Hermosa Beach, we share the State and US Federal Highway Administration's understanding that pedestrians represent a variety of users that need to access the sidewalk system. "Their abilities vary in agility, balance, cognition, coordination, endurance, flexibility, hearing, problem solving, strength, vision, and walking speed (Federal Highway Administration, *Accessible Sidewalks and Street Crossings—An*

Informational Guide)." We, like most cities, design our sidewalks such that vulnerable members of our community, with limited travel choices, can safely access the sidewalk system to travel independently. These members of our community include children; older adults; persons with physical, visual, and/or hearing impairments; and those with assistive devices such as wheelchairs and strollers. Introducing a high-speed mobility device onto the sidewalk system would be incredibly dangerous to those who do not have the option of traveling on the road as cyclists do.

Furthermore, this bill would force many cities, like ours, to make costly and perhaps unnecessary investments in cycling infrastructure. Even if cities, like ours, make those investments, we could still be open to new legal risks. A plaintiff (pedestrian) and the defendant (cyclist) could both sue the City when there is a collision.

The City of Hermosa Beach understands the need for the safety of cyclists. However, this proposed legislation would provide perceived safety for cyclists at the detriment of a diversely-abled constituency of pedestrians utilizing sidewalks, and therefore the City of Hermosa Beach respectfully opposes AB 825 unless amended. For any questions or additional information, please contact Chief of Police, Paul LeBaron, at 310-318-0600 or plebaron@hermosabeach.gov.

Sincerely,



Ray Jackson,
Mayor

Copy: City of Hermosa Beach City Council

The Honorable State Assemblymember Al Muratsuchi

The Honorable State Senator Ben Allen

Ronda Paschal, Deputy Legislative Secretary, Office of Governor Newsom

South Bay Cities Council of Governments

Jeff Kiernan, League of California Cities Public Affairs Manager

League of California Cities

California Contract Cities Association